

JS-6

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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**
12 **SOUTHERN DIVISION**

13 SECURITIES AND EXCHANGE
COMMISSION,

14 Plaintiff,

15 vs.

16 ROBERT LOUIS CARVER; ROBERT
17 LOUIS CARVER, II; JAMES LOWELL
DEMERS; LINCOLN FUNDS
18 INTERNATIONAL, INC., a Nevada
corporation; and PAROPES
19 CORPORATION, f/k/a BROOKSTONE
CAPITAL, INC., a Nevada corporation,

20 Defendants,

21 LINCOLN BIOTECH VENTURES, L.P.;
22 LINCOLN BIOTECH VENTURES II,
L.P.; LINCOLN BIOTECH VENTURES
23 III, L.P., and MacAUSLAN CAPITAL
PARTNERS, LLC,

24 Relief Defendants.
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Case No. SACV 08-627 CJC (RNBx)

**~~PROPOSED~~ ORDER DISMISSING
CLAIMS AGAINST RELIEF
DEFENDANTS**

1 WHEREFORE, Plaintiff Securities and Exchange Commission
2 (“Commission”) and James Donell, as Permanent Receiver for relief defendants
3 Lincoln Biotech Ventures, L.P.; Lincoln Biotech Ventures II, L.P. and Lincoln
4 Biotech Ventures III, L.P., have agreed to stipulate to the dismissal, pursuant to
5 Fed. R. Civ. P. 41(a)(1)(A)(ii), of the Commission’s claims against the relief
6 defendants, without cost or fees to either party. The relief defendants waive any
7 rights under the Equal Access to Justice Act, the Small Business Regulatory
8 Enforcement Fairness Act of 1996, or any other provision of law, to seek from the
9 United States, or any agency or official of the United States, reimbursement of
10 attorney’s fees or other fees, expenses, or costs. Solely for these purposes, relief
11 defendants agree that they are not the prevailing party in this action.

12 IT IS HEREBY ORDERED that the Commission’s claims against relief
13 defendants Lincoln Biotech Ventures, L.P.; Lincoln Biotech Ventures II, L.P.; and
14 Lincoln Biotech Ventures III, L.P. are dismissed with prejudice.

15 IT IS SO ORDERED.

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18 Dated: September 19, 2011

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HONORABLE CORMAC J. CARNEY
UNITED STATES DISTRICT JUDGE